



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 14-86

June 5, 2014

Joint Petition of the Department of Environmental Protection and the Department of Energy Resources requesting the Department of Public Utilities to adopt the avoided costs of complying with the Global Warming Solutions Act, using the marginal abatement cost curve method, in assessing the cost-effectiveness of energy efficiency programs.

On May 16, 2014, the Department of Environmental Protection ("DEP") and the Department of Energy Resources ("DOER") (collectively "the Petitioners") filed with the Department of Public Utilities ("Department") a joint petition requesting the Department to: (1) adopt the avoided costs of complying with the Global Warming Solutions Act ("GWSA"), using the marginal abatement cost curve method, when assessing the cost-effectiveness of energy efficiency programs; (2) require Program Administrators to use this method to estimate avoided GWSA compliance costs when preparing three-year energy efficiency investment plans and energy efficiency annual performance reports; and (3) adopt the Petitioners' estimate that the 15-year levelized cost of complying with the greenhouse gas emission limits is \$54 per metric ton of carbon dioxide equivalent. The Petitioners filed the petition pursuant to G.L. c. 164, § 76; G.L. 25, § 21; and 220 CMR 1.04. The Department has docketed this matter as D.P.U. 14-86.

The Attorney General of the Commonwealth of Massachusetts ("Attorney General") has filed a notice to intervene in this matter pursuant to G.L. c. 12, § 11E(a). Further, pursuant to G.L. c. 12, § 11E(b), the Attorney General has filed a notice of retention of experts and consultants to assist in her investigation of the petitioners filing, and has requested Department approval to spend up to \$150,000 in this regard. Pursuant to G.L. c. 12, § 11E(b), the costs incurred by the Attorney General relative to her retention of experts and consultants may be recovered in rates.

Copies of the Petitioners' filing are on file at the Department's offices, One South Station - 5th Floor, Boston, Massachusetts 02110 for public viewing during business hours and on the Department's website at <http://www.mass.gov/dpu>. Copies are also on file for public view at the offices of the Department of Energy Resources, 100 Cambridge Street, Suite 1020, Boston, Massachusetts 02451, and the Department Environmental Protection, One Winter Street, Boston, Massachusetts 02108. Any person desiring further information regarding this notice should contact David J. Gold, Hearing Officer, Department of Public Utilities, at (617) 305-3500.

The Department will conduct a public hearing to receive comments on the joint petition. The hearing will take place on **July 16, 2014, 2:00 p.m.** at the Department's offices, One South Station -- 5th Floor, Boston, Massachusetts 02110. A procedural conference will take place immediately following the public hearing. Any person who desires to comment may do so at the time and place noted above or submit written comments to the Department not later than the close of business (5:00 p.m.) on **July 16, 2014**.

Any person who desires to participate in the evidentiary phase of this proceeding and also desires to comment on the Attorney General's notice of retention of experts and consultants must file a written petition for leave to intervene with the Department not later than the close of business on **July 9, 2014**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. Any person who desires to comment on the Attorney General's notice of retention of experts and consultants must file the comments no later than the close of business on **July 9, 2014**.

An original and one copy of all written comments, petitions to intervene, or comments on the Attorney General's notice of retention of experts and consultants must be filed with Mark D. Marini, Secretary, Department of Public Utilities, One South Station - 5th Floor, Boston, Massachusetts 02110, not later than the close of business on the dates noted above. One copy of all written comments or petitions to intervene should also be sent to: (1) DOER's attorney, Steven I. Venezia, 100 Cambridge Street, Suite 1020, Boston, Massachusetts 02114; and (2) DEP's attorney, Danah Tench, One Winter Street, Boston, Massachusetts 02108.

All documents should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dpu.efiling@state.ma.us and the hearing officer david.j.gold@state.ma.us; or (2) on a CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 14-86); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website: <http://www.mass.gov/dpu>.